

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

LANDON T. HARBERT,)	
)	
Petitioner,)	
v.)	No. 1:09-cv-1319-WTL-JMS
)	
THOMAS D. HANLON,)	
)	
Respondent.)	


Entry Discussing Petition for Writ of Habeas Corpus

In a prison disciplinary proceeding identified as No. CIC 09-07-0264, the petitioner was found guilty of violating prison rules and was sanctioned. The only sanction imposed that could have extended the petitioner's release date if enforced was a suspended 15-day deprivation of earned credit time. The 6-month time period during which the suspension could have been enacted has passed. Therefore, there was no deprivation of credit time or a credit class demotion and the petitioner is no longer in custody pursuant to the challenged disciplinary proceeding. When no recognized liberty or property interest has been taken, which is the case here, the confining authority "is free to use any procedures it chooses, or no procedures at all." *Montgomery v. Anderson*, 262 F.3d 641, 644 (7th Cir. 2001).

The respondent's motion to dismiss (dkt 13) is **granted**. Judgment dismissing this action for lack of jurisdiction shall now issue.

IT IS SO ORDERED.

Date: 03/01/2010



Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana